

Board of Chiropractic Examiners

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**PETITION FOR REDUCTION OF PENALTY**

Section 10(b) of the Chiropractic Initiative Act states that the Board shall conduct a proceeding in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code. Government Code section 11522 provides for a licensee to petition the Board for reduction of the probation penalty if he or she meets the following requirements:

- One year has elapsed from the effective date of the decision ordering disciplinary action; or
- One year has elapsed since the effective date of a petition previously filed pursuant to Section 10(b) of the Chiropractic Initiative Act and the petitioner was afforded a hearing; or

Additional requirements of the Board are:

- The petitioner is not currently under sentence or on court-imposed probation or parole for any criminal offense. **IF YOU ARE NO LONGER ON CRIMINAL PROBATION, YOU MUST SUBMIT PROOF OF TERMINATION OF PROBATION;** and
- There is currently no accusation or petition to revoke probation pending with any other board.

If you meet the above requirements, you may petition the Board for reduction of the terms and conditions of your probation by completing and submitting the attached petition form. When completing your petition, please refer to the attached AGuidelines for Petitions for Restoration, Reduction of Penalty, and Early Termination of Probation.® These guidelines outline the rehabilitation criteria the Board has determined a petitioner should meet when petitioning for license restoration, reduction of disciplinary penalty, or early termination or probation.

Modification of the probation penalty shall be provided only in exceptional circumstances. Such as when the Board determines that the probationary terms imposed have been excessive considering both the violation and law charged and the supporting evidence, or when it has determined that sufficient rehabilitation has occurred to warrant a reduction of the terms and conditions of probation.

Submit the petition with the required documents to the address above, to the attention of the enforcement unit. The petition will be processed and scheduled for the requested Board meeting, unless otherwise notified. Please be advised that you should allow 45 days for the processing of your petition, and the petition set for hearing. To view a current list of Board meeting dates refer to our website.

You will be notified in writing of the hearing date. At the hearing, you will be afforded the opportunity to present both oral and written evidence of your rehabilitation; and you may, but need not be, represented by counsel. In deciding the case, the Board will take into consideration the petition, all recommendations, and any oral or written evidence. The Board will be represented by the Attorney General's Office and an administrative law judge will preside over the hearing.